REMARKS

The Final Office Action of October 29, 2002, has been reviewed and its contents carefully noted. Reconsideration of this case is earnestly requested. Claims 1-7 remain in this case, independent claims 1 and 5 being amended by this response. The amendment of claims 1 and 5 is supported by the original drawing and generally throughout the specification; no new matter has been added. More particularly, this amendment is supported in the original specification at page 9, lines 6-8, 13-15, 18-22, and by original Figures 5 and 6A-6E.

Applicant takes this opportunity to draw the Examiner's attention to the fact that Applicant filed an amendment virtually identical to the present amendment in its last Amendment and Response to Office Action, filed on September 19, 2002. However, at least a portion of the amendment was not entered, because it was deemed by the Examiner to constitute new matter. Applicant now respectfully requests the Examiner's reconsideration of the new matter issue and the patentability of the claims so amended.

The Examiner's attention also is drawn to the fact that, accompanying this Amendment is Applicant's Petition for Extension of Time of One (1) Month and authorization to withdraw the required fee from the attorney's deposit account.

Entry of this Amendment is earnestly requested, as it is believed (1) to place the entire application in condition for allowance; (2) not to raise any new issues or require further search; (3) to be directly responsive to the Final Office Action; and (4) to place the application in even better form for appeal, should such appeal be necessary.

Rejection under 35 U.S.C. §112

Claims 1-7 were rejected under 35 USC 112, first paragraph, as based on a disclosure which is not enabling. Applicant respectfully disagrees with the rejection, as explained below.

The Examiner maintains that the feature of Applicant's amended claim 1, namely "**at the outer perimeter of the annular flange, the annular rounded perimeter is rounded inwardly, toward the outer end of the tubular member,**" is critical or essential to the practice of the invention, but is not enabled by the original disclosure. Thus, the Examiner states that the

proposed amendment of claim 1 constitutes new matter, and therefore the Examiner considered the amended claims, less the alleged new matter.

Applicant respectfully disagrees that the proposed amendment (both in the present response and in Applicant's response to the Office Action of June 19, 2002, filed on September 19, 2002) constitutes new matter. More particularly, the feature "**at the outer perimeter of the annular flange, the annular rounded perimeter is rounded inwardly, toward the outer end of the tubular member**" is supported in the originally-filed specification at page 9, lines 6-8, 13-15 and 18-22, and further supported by the drawing, as best seen in Figures 5 and 6A-6E. For example, referring now to Figure 5 and Figures 6A-6E, **the annular rounded perimeter** feature (63) of flange 50 is quite clear in the drawing. Further, the Figures clearly show **the annular rounded perimeter** is **rounded inwardly** (*i.e.*, see radially inner bend 61 and radially outer roll 62), **toward the outer end of the tubular member** 25. In other words, the annular rounded perimeter is rounded inwardly, such that its end is curved in towards the outer end of the tubular member. This feature of the invention is most clearly seen in the drawing, particularly at Figures 5 and 6A-6E. Therefore, it is respectfully submitted that the feature "**at the outer perimeter of the annular flange, the annular rounded perimeter is rounded inwardly, toward the outer end of the tubular member**" does not constitute new matter.

It is respectfully submitted that the rejection is thus overcome. Reconsideration and withdrawal of the rejection of claims 1-7 under 35 USC 112, first paragraph, are respectfully requested.

Rejection under 35 USC § 102

Claims 1, 2 and 4 were rejected under 35 USC § 102(b) as being anticipated by Glover, Jr. *et al.* Applicant respectfully disagrees with the rejection.

Applicant's independent claims 1 and 5, as amended, recite, *inter alia*, a flange having a rolled edge, wherein "**at the outer perimeter of the annular flange, the annular rounded perimeter is rounded inwardly, toward the outer end of the tubular member.**" Glover, Jr. *et al.* does not disclose such feature, rather, Glover, Jr. *et al.* discloses an apparatus wherein the outer perimeter of the flange rolls **outwardly, away from the duct connection, rather than**

inwardly toward the duct connection. Therefore, Glover, Jr. *et al.* fails to disclose each and every element of Applicant's claim 1.

Furthermore, Applicant observes that the Examiner-cited "annular rounded perimeter" of Glover '941 would fail to function as required for the present invention. Indeed, as noted above, the true, outer perimeter of the Glover flange rolls outwardly, away from the duct connection, rather than inwardly toward the duct connection. Therefore, the Glover flange fails to form a true "tube cavity"(Aiv), which must function to conceal the "excess duct sealer trough" (B), as required in the claims. It is respectfully submitted that the rejection is thus overcome. Reconsideration and withdrawal of the rejection of claim 1 are earnestly requested.

Dependent claims 2 and 4, being dependent from and further limiting independent claim 1, should be allowable for the same reasons, as well as for the additional limitations recited therein. It is respectfully submitted that the rejection is thus overcome. Reconsideration and withdrawal of the rejection of claims 1, 2 and 4 as being anticipated by Glover, Jr. *et al.* are respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 3, 5 and 7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Glover, Jr. *et al.* in view of Janakirama-Rao.

Applicant respectfully disagrees, and believes the claims, as amended, are patentable over Glover, Jr. *et al.* in view of Janakirama-Rao, individually and in combination, for the reasons given above in respect to the section 102 rejection of claims 1, 2 and 4 (as well as claim 5), from which claims 3 and 7 depend, respectively. The arguments above as to the novelty of claims 1 and 5 are repeated here by reference.

In regard to independent claim 5 (and claim 1, from which rejected claims 3 and 7 depend), Applicant observes that the Examiner cited "annular rounded perimeter" of Glover '941 would fail to function as required for the present invention. In fact, the true, outer perimeter of the Glover flange rolls outwardly, away from the duct connection, rather than inwardly toward the duct connection. Therefore, the Glover flange fails to form a true "tube cavity" (Aiv), which

must function to conceal the "excess duct sealer trough" (B), as required in the originally filed claims.

However, to more clearly differentiate the claims over the cited art, Applicant hereby amends claims 1 and 5, as herein detailed, to specify that the annular rounded perimeter is rounded inwardly, toward the outer end of the tubular member. Additionally, Applicant amends claims 1 and 5 to specify that the annular rounded perimeter is at the outer perimeter of the annular flange. These changes eliminate Glover as a § 103 reference, in that Glover only teaches the outward bends and curves of the duct flange at the interior of the flange to accommodate a tubular seal, rather than an outward bend and curve at the perimeter of the flange to accommodate excess duct seal.

Furthermore, Janakirama-Rao does not cure the deficiencies of Glover. More particularly, the combination of Glover and Janakirama-Rao does not teach or suggest a flange having a rolled edge, wherein "**at the outer perimeter of the annular flange, the annular rounded perimeter is rounded inwardly, toward the outer end of the tubular member,**" as recited in Applicant's independent claims 1 and 5. It is respectfully submitted that the rejection is thus overcome. Reconsideration and withdrawal of the obviousness rejection are earnestly requested.

Dependent claims 3 and 7, being dependent from and further limiting independent claim 1, should be allowable for the same reasons, as well as for the additional limitations recited therein. It is respectfully submitted that the rejection is thus overcome. Reconsideration and withdrawal of the rejection of claims 3, 5 and 7 as being obvious over Glover, Jr. *et al.* in view of Janakirama-Rao are respectfully requested.

Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over Glover, Jr. *et al.* in view of Davis.

Applicant respectfully disagrees, and believes the claims, as amended, are patentable over Glover, Jr. *et al.* in view of Davis, individually and in combination, for the reasons given above in respect to the section 103 rejection of claims 3, 5 and 7 (and claim 1, from which claim 6

depends). The arguments above as to the non-obviousness of claims 1 and 5 are repeated here by reference.

Furthermore, Davis does not cure the deficiencies of Glover. More particularly, the combination of Glover and Davis does not teach or suggest a flange having a rolled edge, wherein "**at the outer perimeter of the annular flange, the annular rounded perimeter is rounded inwardly, toward the outer end of the tubular member,**" as recited in Applicant's independent claim 1, from which rejected claim 6 depends. It is respectfully submitted that the rejection is thus overcome. Reconsideration and withdrawal of the rejection of claim 6 as being obvious over Glover, Jr. *et al.* in view of Davis are respectfully requested.

Conclusion

Applicant believes the claims, as amended, are patentable over the prior art, and that this case is now in condition for allowance of all claims therein. Such action is thus respectfully requested. If the Examiner disagrees, or believes for any other reason that direct contact with Applicant's attorney would advance the prosecution of the case to finality, he is invited to telephone the undersigned at the number given below.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file."

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APPENDIX OF AMENDED CLAIMS

The following are the amended claims, marked up to show all changes relative to the previous version of each claim so amended, in compliance with 37 CFR § 1.121(c)(1)(ii):

1. (Twice amended) An apparatus for connecting and sealing duct sections, the apparatus comprising:

(A) first and second connectors, each connector comprising:

(a) a tubular member;

(b) an annular flange, extending radially outwardly from an outer end of the tubular member; and

(c) a rolled edge, comprising:

(i) an annular radially inner bend, attached to the outer perimeter of the annular flange;

(ii) an annular radially outer roll, adjacent to the radially inner bend;

(iii) an annular rounded perimeter, adjacent to the annular radially outer roll and at the outer perimeter of the annular flange, the annular rounded perimeter is rounded inwardly, toward the outer end of the tubular member; and

(iv) whereby a tube cavity is defined within the annular radially outer roll and annular rounded perimeter;

(B) whereby an excess duct sealer trough is defined between rolled edges of the first and second connectors; and

(C) a plurality of fasteners connecting the annular flange of the first connector to the annular flange of the second connector.

5. (Twice Amended) An apparatus for connecting and sealing duct sections, the apparatus comprising:

(A) first and second connectors, each connector comprising:

(a) a tubular member;

(b) an annular flange, extending radially outwardly from an outer end of the tubular member; and

(c) a rolled edge, comprising:

(i) an annular radially inner bend, attached to the outer perimeter of the annular flange;

(ii) an annular radially outer roll, adjacent to the radially inner bend;

(iii) an annular rounded perimeter, adjacent to the annular radially outer roll and at the outer perimeter of the annular flange, the annular rounded perimeter is rounded inwardly, toward the outer end of the tubular member;

(iv) whereby a tube cavity is defined within the annular radially outer roll and annular rounded perimeter; and

(v) a wire rod, carried within the tube cavity;

(B) whereby an excess duct sealer trough is defined between rolled edges of the first and second connectors;

(C) a gasket, carried between outer annular surfaces of the annular flanges of the first and second connectors, the gasket having a first side surface directed toward the outer annular surface of the first connector and a second side surface directed toward the outer annular surface of the second connector;

(D) a duct sealer, carried firstly between the first side surface of the gasket and the outer annular surface of the annular flange of the first connector, and carried secondly between the second side surface of the gasket and the outer annular surface of the annular flange of the second connector, and carried thirdly tamed in the excess duct sealer trough defined between the rolled edges of the first and second connectors; and

(E) a plurality of fasteners connecting the annular flange of the first connector to the annular flange of the second connector.